IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 6394 of 2001 (S/S)
(Old No. 16732 of 1992)

Ram Prasad Singh
S/o Sri Vidya Singh
R/o Garhwal Jal Sansthan,
Kyarki Bichali, Post Shankarpur,
District Pauri Garhwal.

…….. Petitioner

Versus

1. The State
2. Executive Engineer,
   Garhwal Jal Sansthan, Kotdwar,
   District Pauri Garhwal.
3. Asstt. Engineer,
   Garhwal Jal Sansthan, Syusi,
   Birokhal, Pauri.
4. Executive Engineer
   Construction Divison,
   U.P. Jal Nigam, Dehradun.

…… Respondents

Mr. Anil Dabral, learned counsel for the petitioner.
Mr. N.P. Sah, learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

Learned counsel for the parties are present.

Heard.

2) By means of this writ petition, the petitioner, who is a Pump Beldar, on daily wages with the Jal Sansthan, has sought his regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases page 01,*** that daily wage workers or the

persons employed without undergoing regular selection process under the rules, should not be directed to be absorbed or regularized in the services, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Learned counsel for the petitioner drew attention of this Court to order No. 3307 / Adhi. Viniyamitikaran / 2003-04 dated 4th of November 2003, issued by Director Finance of the Uttaranchal Jal Sansthan, wherein it has been stated that the process of regularization is on.

5) In these circumstance, the writ petition is dismissed with the observation that the petitioner may make a representation before the authorities concerned, if his case is covered under the regularization process, as mentioned above. Interim order dated 07.05.1992, stands hereby, vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: December 07,2006
H.Negi